

Suders v. PSP
No. 1:CV-00-1655

ATTACHMENT B

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

NANCY DREW SUDERS

Plaintiff

v.

PENNSYLVANIA STATE POLICE,

Defendant

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No. 1:CV-00-1655

(Judge Rambo)

(Electronically Filed)

DEFENDANT'S PROPOSED SPECIAL VERDICT QUESTIONS

1. Did plaintiff prove, by a preponderance of the evidence that she was subjected to a pattern of sexual harassment that was so severe and pervasive so as to create an abusive working environment based on gender?

YES _____

NO _____

If your answer to Question No. 1 is "NO," please sign the verdict form and return to the courtroom. If your answer is "YES," proceed to Question No. 2.

2. Did defendant establish, by a preponderance of the evidence, that the employer had an effective policy for reporting and resolving complaints of sexual harassment?

YES _____

NO _____

If your answer to Question No. 2 is "YES," proceed to Question number 3. If your answer is "NO," proceed to Question No. 4.

3. Did defendant establish, by a preponderance of the evidence, that plaintiff unreasonably failed to avail herself of that employer-provided preventive or remedial policy?

YES _____ NO _____

If your answer to Question No. 3 is "YES", sign the verdict form and return to the courtroom. If your answer to Question NO. 3 is "NO," proceed to Question No. 4.

4. Did plaintiff prove, by a preponderance of the evidence, that her working environment became so intolerable that a reasonable person would have felt compelled to resign?

YES _____ NO _____

If your answer to Question No. 4 is "YES," proceed to Question No. 5. If your answer to Question No. 4 is "NO", proceed to Question No. 7.

5. Did plaintiff prove, by a preponderance of the evidence, that she made reasonable efforts to find a new job which was similar in terms of salary as her position with the Pennsylvania State Police?

YES _____ NO _____

Proceed to Question No. 6.

6. What amount of damages, if any, will compensate plaintiff for the injury she sustained from the sexually hostile work environment you found?

\$ _____ - Lost Wages

\$ _____ - Pain and Suffering

\$ _____ - Total Damages

7. What amount of damages, if any, will compensate plaintiff for the injury she sustained from the sexually hostile work environment you found?

If you answered "NO" to Question NO. 4, you cannot award any damages for lost wages or benefits and should not answer Question No. 6. However, you may award the plaintiff damages for pain and suffering which resulted from a sexually hostile work environment.

\$ _____

Please sign the verdict form and return to the courtroom.

JURY FOREPERSON

DATED: _____, 2005